

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JUAN JOSE NUNEZ,

Defendant.

CASE NO: 2:21-CR-0147-TOR

ORDER GRANTING MOTION TO
CONTINUE PRETRIAL AND TRIAL
DATES

BEFORE THE COURT is Defendant's Unopposed Motion to Continue
Pretrial and Trial Dates. ECF No. 40. The motion was submitted for hearing
without oral argument. The Court has reviewed the record and the files herein and
is fully informed.

Defendant is scheduled to appear before the Court for a pretrial conference
on August 18, 2022, and a jury trial is scheduled to begin on August 29, 2022.
Defendant now moves, unopposed by the government, for a 60-day continuance of
those dates and the pretrial filing deadline. In support of the motion, Defendant
explains he requires additional time to receive and review additional documents

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1 from the government. The Court finds that the Defendant requires additional time
2 to investigate and prepare for trial, taking into account the exercise of due
3 diligence, and that his interests would not be adequately represented without a
4 continuance. Accordingly, the motion is granted.

5 IT IS HEREBY ORDERED:

6 1. The Motion to Continue Pretrial and Trial Dates (ECF No. 40) is
7 **GRANTED.**

8 2. The pretrial conference currently scheduled for August 18, 2022, is
9 vacated and continued to **October 20, 2022, at 8:30 a.m.**, in Spokane Courtroom
10 902. All pre-trial motions, including motions *in limine* and *Daubert* motions, shall
11 be filed and served on or before **September 29, 2022**, and noted for hearing at the
12 pretrial conference. Any response to a pre-trial motion shall be filed and served in
13 accordance with Local Rule 7. If the Court determines an evidentiary hearing is
14 appropriate, the Court will notify the parties of the date and time for such hearing.

15 3. The jury trial currently scheduled for August 29, 2022, is vacated and
16 continued to **October 31, 2022, at 8:30 a.m.**, in Spokane Courtroom 902. Counsel
17 shall appear in court at 8:30 a.m. on the first day of trial to address any pending
18 pretrial issues. Jury selection will begin promptly at 9:00 a.m. Trial briefs,
19 proposed voir dire, jury instructions, verdict forms, exhibit lists, and expert witness
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1 lists shall be filed and served by all parties on or before **seven (7) calendar days**
2 prior to trial.

3 4. Pursuant to 18 U.S.C. § 3161(h)(7)(A), the time between August 2,
4 2022, until October 31, 2022, is DECLARED EXCLUDABLE for purposes of
5 computing time under the Speedy Trial Act. The Court finds that the ends of
6 justice served by such a continuance outweigh the interests of the public and
7 Defendant in a speedy trial.

8 5. Counsel for the defense shall notify the Defendant and ensure his
9 attendance at every scheduled hearing and trial.

10 IT IS SO ORDERED. The District Court Executive is directed to enter this
11 order and provide copies to counsel, the United States Probation Office, and the
12 United States Marshal's Service.

13 DATED August 3, 2022.



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A handwritten signature in blue ink that reads "Thomas O. Rice".

THOMAS O. RICE
United States District Judge